

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address D. EDWARD HAYS, #162507 ehays@marshackhays.com TINHO MANG, #322146 tmang@marshackhays.com MARSHACK HAYS WOOD LLP 870 Roosevelt Irvine, CA 92620 Telephone: (949) 333-7777 Facsimile: (949) 333-7778</p> <p><input type="checkbox"/> Individual appearing without an attorney <input checked="" type="checkbox"/> Attorney for: Chapter 7 Trustee, Richard A. Marshack</p>	<p>FOR COURT USE ONLY</p>
<p style="text-align: center;">UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA – <u>SANTA ANA</u> DIVISION</p>	
<p>In re: NORTHERN HOLDING, LLC,</p> <p style="text-align: right;">Debtor.</p>	<p>CASE NO.: 8:20-bk-13014-SC CHAPTER: 7</p> <p>NOTICE OF LODGMENT OF ORDER IN BANKRUPTCY CASE RE: (title of motion¹): <u>ORDER TO SHOW CAUSE RE: CIVIL CONTEMPT</u></p>

PLEASE TAKE NOTE that the order titled **ORDER ADJUDICATING LEROY E. CODDING, IV IN CIVIL CONTEMPT AND
IMPOSITION OF SANCTIONS** was lodged on (date) September 27, 2023, and is attached. This order relates to the motion which is docket number 359.

¹ Please abbreviate if title cannot fit into text field.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 870 Roosevelt, Irvine, CA 92620

A true and correct copy of the foregoing document entitled: **NOTICE OF LODGMENT OF ORDER IN BANKRUPTCY CASE** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On September 27, 2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On September 27, 2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

DEBTOR

NORTHERN HOLDING, LLC
ATTN: OFFICER, A MANAGING OR GENERAL AGENT,
OR TO ANY OTHER AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO RECEIVE SERVICE
13217 JAMBOREE RD #429
TUSTIN, CA 92782

INTERESTED PARTY

LEE CODDING
13217 JAMBOREE ROAD, #429
TUSTIN, CA 92782

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on September 27, 2023, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

VIA PERSONAL DELIVERY

PRESIDING JUDGE'S COPY

HONORABLE SCOTT C. CLARKSON
UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
RONALD REAGAN FEDERAL BUILDING AND COURTHOUSE
411 WEST FOURTH STREET, SUITE 5130 / COURTROOM 5C
SANTA ANA, CA 92701-4593

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

September 27, 2023

Date

Chanel Mendoza

Printed Name

/s/ Chanel Mendoza

Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** CONTINUED:
 - **INTERESTED PARTY COURTESY NEF:** William H Brownstein Brownsteinlaw.bill@gmail.com
 - **INTERESTED PARTY COURTESY NEF:** Steve Burnell Steve.Burnell@gmlaw.com, sburnell@ecf.courtdrive.com; sburnell@ecf.inforuptcy.com; cheryl.caldwell@gmlaw.com; denise.walker@gmlaw.com
 - **INTERESTED PARTY COURTESY NEF:** Kevin W Coleman kcoleman@nutihart.com, admin@nutihart.com
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 - **ATTORNEY FOR CREDITOR AZCONA HARVESTING:** Paul William Moncrief Paul@Moncriefhart.com
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 - **ATTORNEY FOR CHAPTER 7 TRUSTEE RICHARD A MARSHACK:** D Kristine A Thagard kthagard@marshackhays.com, kthagard@ecf.courtdrive.com; kfrederick@ecf.courtdrive.com
 - **US TRUSTEE (SA):** United States Trustee (SA) ustpregion16.sa.ecf@usdoj.gov
 - **ATTORNEY FOR CREDITOR FARM CREDIT WEST, FLCA:** Reed S Waddell rwaddell@frandzel.com, sking@frandzel.com
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Exhibit A

Lodged Order



Bankruptcy LODGED ORDER UPLOAD FORM

Wednesday, September 27, 2023

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CONFIRMATION :

You've successfully uploaded the order:
([11287622.docx](#))
[A new order has been added](#)

- **Office:** [Santa Ana](#)
- **Case Title:** [Northern Holding, LLC](#)
- **Case Number:** [20-13014](#)
- **Judge Initial:** [SC](#)
- **Case Type:** [bk \(Bankruptcy \)](#)
- **Document Number:** [416](#)
- **On Date:** [09/27/2023 @ 04:00 PM](#)

Please [print](#)  this confirmation for future reference.

Thank You!

United States Bankruptcy Court, Central District of California
Edward R. Roybal Federal Building and Courthouse
255 East Temple Street, Los Angeles, CA 90012

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6 | Attorneys for Chapter 7 Trustee
RICHARD A. MARSHACK

8 UNITED STATES BANKRUPTCY COURT

9 CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

10 || In re

Case No. 8:20-bk-13014-SC

11 || NORTHERN HOLDING, LLC.

Chapter 7

Debtor

ORDER ADJUDICATING LEROY E.
CODDING, IV IN CIVIL CONTEMPT AND
IMPOSITION OF SANCTIONS

Hearing on OSC

Date: September 27, 2023

Time: 11:00 a.m.

Ctrm: 5C – via ZoomGov

Address: 411 W. Fourth Street
Santa Ana, CA 92701

Status Hearing on Contempt

Date: October 18, 2023

Date: October 1
Time: 2:00 p.m.

Time: 2:00 p.m.

22 On September 27, 2023, at 11:00 a.m., the Court held a continued hearing on an order to
23 show cause re: civil contempt, entered on October 26, 2022, as Docket No. 359 (“OSC”). An
24 evidentiary hearing was previously held by the Court on May 11, 2023, regarding the OSC, and
25 there were two successive stipulations entered into between Richard A. Marshack, in his capacity as
26 Chapter 7 Trustee of the bankruptcy estate (“Estate”) of Northern Holding, LLC (“Debtor”), and
27 Leroy Emerson Codding, IV (“Codding”), an individual in his individual capacity and in his capacity
28 as the managing member of Fluid Wine Fund I, LLC, a Nevada limited liability company (“FWF”)

1 and as chief executive officer of Rabbit Ridge Wine Sales, Inc. (“Rabbit Ridge”) regarding
2 Codding’s consent to being adjudicated in civil contempt, the first of which was filed on May 12,
3 2023, as Dk. No. 394 (“First Consent Stipulation”), and the second of which was filed on July 28,
4 2023, as Docket No. 416 (“Second Consent Stipulation”). At the hearing, Tinho Mang appeared on
5 behalf of the Trustee, who was also present. Leroy E. Codding appeared *in pro per*. For the reasons
6 discussed on the record and in the Court’s tentative ruling posted in advance of the hearing, and after
7 considering the status report filed on September 13, 2023, as Dk. No. 421 and Mr. Codding’s written
8 and oral representations, the Court enters its order as follows:

9 IT IS ORDERED:

10 1. Leroy E. Codding, IV, individually and in his capacity as the managing member of
11 Fluid Wine Fund I, LLC, and in his capacity as the chief executive officer of Rabbit Ridge Wine
12 Sales, Inc., is adjudicated in civil contempt of the Court’s orders: (1) the Court’s turnover order
13 entered on August 23, 2021, as Dk. No. 196 (“Turnover Order”); (2) the Court’s order approving a
14 motion to operate and a farm operator agreement (“Operate Order”); and (3) the Court’s order
15 approving the stipulation for consent to civil contempt, entered on July 31, 2023, as Docket No. 417
16 (“Consent Order”), for failing to turn over \$160,000 to the Estate, consisting of the agreed-upon
17 amount that Codding and his entities misappropriated from the Estate and failed to return to the
18 Estate, plus additional agreed-upon compensatory damages (including but not limited to the
19 additional costs imposed on the Estate to address Codding’s actions).

20 2. Mr. Codding shall turn over the increased amount of \$170,000 to the Trustee in
21 certified funds or verified funds no later than October 7, 2023, at 11:59 p.m. Pacific Prevailing Time
22 (“Compliance Deadline”). Payment in full by the Compliance Deadline will purge Mr. Codding’s
23 contempt under this order.

24 3. A hearing is set for October 18, 2023, at 2:00 p.m. regarding Mr. Codding’s
25 compliance with this Order. At the hearing, if the Compliance Deadline has not been met, the Court
26 will consider the imposition of coercive sanctions up to and including issuing a bench warrant for
27 Mr. Codding’s civil incarceration.

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1 4. At any time prior to the hearing, the Trustee may advise the Court that Mr. Codding
2 has purged his contempt, and the Court may vacate the hearing.

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